IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.61399-M of 2006

DATE OF DECISION: NOVEMBER 23, 2006

Jaspal Singh alias Jassi

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. L.S.Sidhu, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

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Petitioner Jaspal Singh alias Jassi apprehending his arrest in a non-bailable offence in case FIR No.142 dated 6.8.2006 registered under Section 379 IPC at Police Station Sadar Mansa, Distt.Mansa, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that in this case there is a delay of six days in lodging the FIR and the version given by the complainant is highly improbable, as both the complainant and the accused are well known to each other. Counsel further contends that as the complainant has to re-pay the loan to the petitioner, he handed over his motor cycle to the petitioner and subsequently the aforesaid false FIR has been lodged by the complainant. Counsel contends that in terms of the interim order dated October 10, 2006, the petitioner has joined the investigation. Counsel for the respondent-State does not dispute this fact and further on instructions from HC Harjinder Singh states that the petitioner is no more required for further investigation.

In view of the above, the interim order dated October 10, 2006 is made absolute on the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. Thereafter, except for material change in the circumstances, the petitioner shall be entitled for the grant of regular bail by the trial Court on the terms and conditions to be imposed by the court.

Disposed of accordingly.

November 23, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE